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UNCLAS SECTION 01 OF 02 KUWAIT 000465

SIPDIS

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SUBJECT: PROTOCOLS ASSIST IRAQI AND KUWAITI NAVIES IN
MAINTAINING SECURITY AROUND OIL TERMINALS

Kuwaiti/Iraqi Naval Officers Meet on USS Lake Champlain

¶1. On an encouraging note in an otherwise strained bilateral relationship, eight Iraqi and ten Kuwaiti junior naval officers participated in a military-military exchange and training opportunity April 15 on Ticonderoga class cruiser USS Lake Champlain in the northern Arabian Gulf. The event, sponsored by Combined Task Force 152 (CTF 152) and Combined Task Force Iraq Maritime (CTF IM), was the first of 12 monthly proposed engagements designed to help action officers of the two navies restore ties and build the requisite cooperation to safeguard the waters shared by Kuwait and Iraq. The itinerary of the event included a briefing, a search and rescue demonstration, a tour of the ship, and lunch. Though initially hesitant to engage, the former enemies warmed up to each other during the course of the joint exercise, offering hope that such exchanges will continue in the future.

Background: Partnership is Needed to Maintain Security
around Oil Terminals

¶2. Combined Task Force 158 (CTF 158), which oversees US and coalition ships involved in maritime security operations in the northern Arabian Gulf, began measures in 2008 to build partnerships between the Kuwaiti and Iraqi Navies and to establish operation protocols in and around the Northern Gulf's Khor Abdullah Waterway. CTF 158's primary mission is maintaining security -- in support of UNSCR 1790 and 1546 endorsing MNF authority to take measures that contribute to the security and stability in Iraq -- in and around both the Al Basrah (ABOT) and Khor Al Amaya Oil Terminals (KAAOT). (Note: Per CTF 158, over three quarters of Iraqi GDP is generated from the oil that flows through these terminals. End note.)

KAA Interoperability Protocols

¶3. One such set of protocols brokered by CTF 158 was the the Khor Abdullah (KAA) Interoperability Protocols signed by the Kuwaiti and Iraqi navies on November 11, 2008. This agreement established standard protocols for operations in the KAA Waterway (the waterway between Kuwait's Bubiyan Island and Iraq, and Iraq's only outlet to the Arabian Gulf). They govern passage in the KAA and routine reporting from shore-based operations centers and also lay out grid markers as an easy reference system for reporting positions of suspected threats to national sovereignty, smugglers or illegal fishing in the KAA or in neighboring waters.

¶4. Text of KAA Interoperability Protocols:

Begin Text.

KAA REPORTING PROTOCOLS

¶1. INITIAL MORNING DAILY CALLS. To be made by respective shore-based operations centers of the KNF, KCG and IQN. Daily morning calls should detail proposed maritime activity throughout the KAA both landward and seaward of point 162 (N 29 51' 9.6234"; E 48 24' 50.8383). Calls are to occur no later than 0900 HRS (local).

¶2. UPDATED VESSEL POSITION REPORTING AT SEA. All KNF, KCG and IQN vessels underway at sea within the KAA both landward and seaward of point 162 (N 29 51' 9.6234"; E 48 24' 50.8383) are to use the KAA Interoperability Grid as an easy reference system to report their own position and any other activity of importance to one another as well as to CTG C/S "Bravo Oscar." Channel 69 is to be used. Vessels are to update their positions to their shore-based operations centers should they significantly alter from that previously briefed during morning daily calls.

¶3. CRIMINAL ACTIVITY AND MARITIME INCIDENT REPORTING. All KNF, KCG and IQN vessels are to use the KAA Interoperability grid system to report to shore-based operations centers or each other any criminal activity and maritime incidents within the KAA up to and beyond point 162 (N 29 51' 9.6234"; E 48 24' 50.8383). This includes smuggling, other illegal activity and fishing in neighboring waters. Fishing incidents are to be resolved and co-ordinated between the

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on-scene KNG, KCG and IQN vessels. CTG 158.1 "Bravo Oscar" should be informed. Fishermen are to be escorted to neighboring territorial waters and handed over to the on-scene KU/IQ vessels.

¶4. KU/IQ VESSEL INFORMATION EXCHANGE AT SEA. All KNF, KUCG and IQN vessels are to exchange information using the reporting format below and following example.

a. Unit Callsign / b. Vessel Type / c. Area of Operation using the KAA Interoperability grid system / d. Duration of operation / e. Reason for Report / f. Any actions being taken by the respective vessel and/or shore-based operations center.

¶5. FUTURE KU/IQ MARITIME PROTOCOLS, ARRANGEMENTS OR AGREEMENTS. Nothing in these protocols should restrict KNF, DCG or IQN authorities in anyway whatsoever from future development and/or introduction of alternative protocols, arrangements and agreements as determined by all parties.

"INNOCENT PASSAGE"
UNCLOS ARTICLE 19

All vessels are to adhere to the internationally legally recognized definition of "Innocent Passage" when transiting in the KAA within recognized Kuwaiti or Iraqi TTWs (NW of point 162 N 29 51' 9.6234"; E 48 24' 50.8383).

¶1. Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal State. Such passage shall take place in conformity with this Convention and with other rules of international law.

¶2. Passage of a foreign ship shall be considered to be prejudicial to the peace, good order or security of the coastal State if in the territorial sea it engages in any of the following activities:

- a) any threat or use of force against the sovereignty, territorial integrity or political independence of the coastal State, or in any other manner in violation of the principles of international law embodied in the Charter of the United Nations;
- b) any exercise or practice with weapons of any kind;
- c) any act aimed at collecting information to the prejudice of the defense or security of the coastal State;
- d) any act of propaganda aimed at affecting the defense or security of the coastal state;
- e) the launching, landing or taking on board of any

aircraft;
f) the launching, landing or taking on board of any military device;
g) the loading or unloading of any commodity, currency or person contrary to the customs, fiscal, immigration or sanitary laws and regulations of the coastal State;
h) any act of willful and serious pollution contrary to this Convention;
i) any fishing activities
j) the carrying out of research or survey activities;
k) any act aimed at interfering with any systems of communication or any other facilities or installations of the coastal State;
l) any other activity not having a direct bearing on passage

End Text.

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JONES